

REMARKS

In response to the Official Action of May 1, 2007, Applicants hereby elect species 1 (Figs 1a-d) with claims 1, 2, 10, 13, and 39 readable thereon.

Applicants traverse this restriction in that claims 1-23 and 39-41 were already restricted out from claims 1-41 in the October 12, 2006 Office Action Restriction Requirement and herein respectfully request withdrawal of this second restriction requirement. The October 12, 2006 Office Action Restriction Requirement restricted the claims into three classes. Applicants responded by electing the first class claims 1-23 and 39-41 drawn to a seatback tilt limiter, classified in class 297, subclass 354.1. Now these elected claims 1-23 and 39-41 have been again, for a second time, restricted out further, but this time Applicants note that the Office Action does not state or conclude that the search and examination of all of the claims 1-23 and 39-41 together will be a serious burden on the Examiner.

Applicants contend that this second restriction requirement is in error in that the examination of claims 1-23 and 39-41 will not be a serious burden on the Examiner, that such is evidenced by this being the second restriction requirement within a restricted out class, and that the current Office Action of Record itself does not have a statement regarding serious burden regarding examination of claims 1-23 and 39-41 that would require such a second restriction of the claims. Additionally Applicants contend the Office Action of Record is in error and the Restriction Requirement must be withdrawn since as noted it does not address the criteria for a proper requirement for restriction in terms of placing a serious burden on the Examiner to search and examine these pending claims 1-23 and 39-41, and that no such statement is made regarding there being such a serious burden presented by claims 1-23 and 39-41 (which in the last Office Action were found to be in one class and classified in class 297, subclass 354.1) .

The Commissioner is hereby authorized to charge any fees associated with this communication to Deposit Account No. 12-2143. The Commissioner is hereby authorized to charge any additional fees or credit any overpayments regarding this application to Deposit Account No. 12-2143.

Respectfully submitted,

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